

REMARKS/ARGUMENTS

The Office Action mailed November 17, 2005 has been reviewed and carefully considered. Claims 1-30 are pending in this application, with claims 1, 20, 27, and 30 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claim Amendments

Claims 1, 20, 27, and 30 are amended to include the limitations of claims 31-34 respectively and now recite that the cell measurement results are reported in the defined reporting sequence without including any identification parameters of the cells. Claim 4 is amended to correct a typographical error. Claims 31-34 are canceled without prejudice.

Rejections under 35 U.S.C. §§102 and 103

Claims 1-17 and 20-34 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,966,657 (Sporre).

Claims 18-19 stand rejected under 35 U.S.C. §103 as being unpatentable over Sporre in view of U.S. Patent No. 6,223,037 (Parkkila).

MPEP §2131 states that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Independent claim 1 recites "defining a reporting sequence of the cells to be used by the transceiver station for reporting" and "reporting the cell measurement results from the transceiver station in the defined reporting sequence without including any identification parameters of the cells". It is respectfully submitted that Sporre fails to disclose these limitations because (1) the BA-list disclosed by Sporre is not a reporting sequence and (2) there is no

express or inherent disclosure in Sporre for reporting cell measurements in a reporting sequence without any identification parameters of the cells.

Sporre discloses a method and a system for radio frequency measurement and automatic frequency planning in a cellular radio system. According to Sporre, when a new connection is established to a mobile station by a base station, the base station orders that the mobile station make periodic signal quality measurements on the downlink broadcast control channel (BCCH) (col. 7, lines 61-66). A BA-list of neighboring cell BCCH frequencies to be measured is sent to the mobile by the base station (col. 3, lines 33-41). The measurements are reported back to the base station which uses the measurements to construct a list of possible handoff candidates (col. 7, line 66 to col. 8 line 4). The list of possible candidates includes the six channels with the strongest signal strength (col. 4, lines 26-30; and col. 11, lines 63-67). Sporre further teaches that any free space in a measurement report may be filled with other data such as measured signal strength on a selected number of traffic channel carriers (col. 12, lines 6-10).

The BA-list disclosed by Sporre is a list of frequencies that the network sends to the mobile unit. The mobile makes periodic measurements of the signal quality of the frequencies listed in the BA-list. However, the BA-list can not be considered to be a reporting sequence. The report made by the mobile includes the six frequencies with the highest signal strength and other data such as measured signal strength on a selected number of traffic channel carriers which can be included in free space in the measurement report. Since the BCCH frequencies listed in the measurement report are a subset of the frequencies listed in the BA-list and depend on the signal strength, there is no disclosure or suggestion in Sporre of a reporting sequence. Furthermore, since the contents of the measurement report depend on the signal

strengths and can change over time, there is no disclosure or suggestion that the measurements can be sent "without including any identification parameters of the cells", as expressly recited in independent claim 1.

The Office Action states that the step of defining a reporting sequence is disclosed by col. 3, line 48 to col. 4, line 9 and col. 4, lines 10-31 and col. 11, lines 19-20. These portions of Sporre disclose that a mobile is periodically sent information about BCCH channel allocations and that these allocations identify particular BCCH frequencies upon which the mobile terminal is to make signal quality measurements. These portions of Sporre further disclose that a report on these measurements includes information on the six strongest BCCH carrier frequency signal measurements upon which the mobile was able to decode the base station identity code (BSIC). Accordingly, the network instructs the mobile to measure a list of BCCH carrier frequencies but measurement results for only a subset of the frequency carriers are reported back to the network. Furthermore, this subset is based on the six strongest signals. Since the cells being reported can change based on the signal strength, the network of Sporre does not define a reporting sequence of the cells.

The Office Action further states that the limitation "reporting the cell measurement results from the transceiver station in the defined reporting sequence without including any identification parameters of the cells", previously recited in claim 31 and now incorporated into independent claim 1, is disclosed at col. 4, lines 41-42 of Sporre. However, this section of Sporre is merely a statement that certain measurements are not included in the report. Accordingly, this portion of Sporre fails to disclose, teach or suggest "reporting the cell measurement results from the transceiver station in the defined reporting sequence without including any identification parameters of the cells", as expressly recited in independent claim 1.

In view of the above amendments and remarks, it is respectfully submitted that independent claim 1 is not anticipated by Sporre.

Independent claims 20, 27, and 30 include limitation that are similar to the limitations of independent claim 1 discussed above. Accordingly, independent claims 20, 27, and 30 are allowable for at least the same reasons as is independent claim 1.


Dependent claims 2-19, 21-26, and 28-29, each being dependent on one of independent claims 1, 20, 27, and 30, are allowable for at least the same reasons expressed above with respect to independent claims 1, 20, 27, and 30, as well as for the additional recitations contained therein.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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Dated: February 17, 2006